

IN RE: PETITION FOR ZONING VARIANCE  
E/S Apple Wood Court, 312' N  
of c/l Kaufman Road  
3 Apple Wood Court  
7th Election District  
3rd Councilmanic District  
Paul Travers, et ux  
Petitioners

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 90-85-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1A04.3.B.3 to allow a side yard setback of 46 feet in lieu of the required 50 feet, in accordance with Petitioners' Exhibit 1.

The Petitioner, Paul Travers, appeared and testified. There were no Protestants.

Testimony and evidence indicate that the subject property, known as #3 Apple Wood Court, consists of 1.310 acres +/-, zoned R.C. and is improved with an existing dwelling and accessory shed. The Petitioners are desirous of constructing a two car garage on the eastern side of the existing dwelling. The Petitioner testified that the proposed location of the garage will avoid potential water drainage problems. Mr. Travers also stated that he has discussed his plans with his adjoining neighbors who had no objections.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety and/or general welfare

of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 18th day of Sept., 1989 that the Petition to allow a side yard setback of 46 feet in lieu of the required 50 feet, in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

J. Robert Haines  
Zoning Commissioner  
for Baltimore County

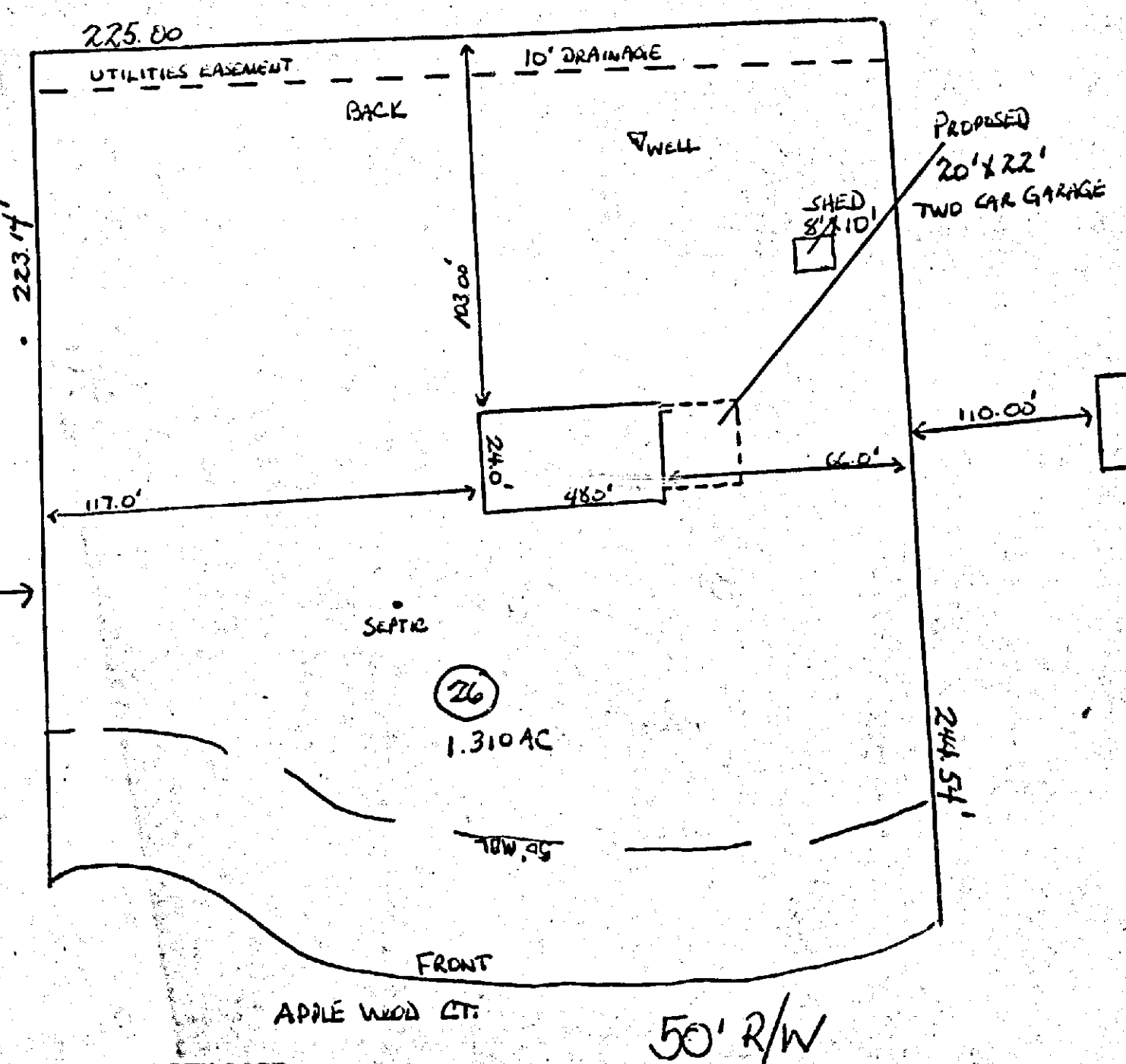
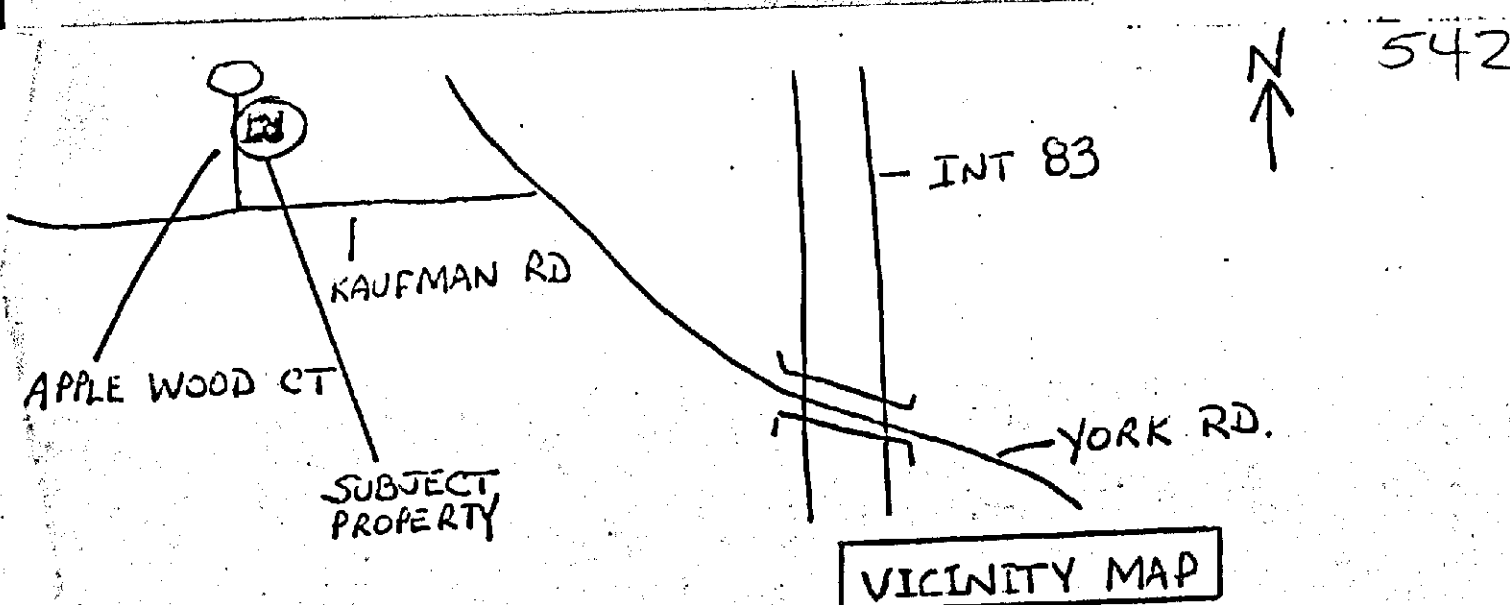
JRH/mnn

cc: Peoples Counsel

#### ZONING DESCRIPTION

MICROFILMED

Beginning on the east side of Apple Wood Court, 50' feet wide, at the distance of 312 feet north of the centerline of Kaufman Road. Being Lot 26, Plat 3, in the subdivision of Apple Valley. Liber 53, Folio 39. Also known as 3 Apple Wood Court in the 7th Election District.



PLAT FOR ZONING VARIANCE  
OWNER - PAUL & CATHERINE TRAVERS  
DISTRICT 7, PRECINCT 1  
SUBDIVISION - APPLE VALLEY  
PLAT 3, LOT 26, LIBER 53, FOLIO 39  
SCALE: 1" = 40'  
ZONING R.C.5

PETITIONER'S  
EXHIBIT 1

#### PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A04.3.B.3. To allow a side yard setback of 46 feet in lieu of the required 50 feet.

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. A detached structure would require major excavation of sloping terrain in rear of existing structure which would change current drainage and water run-off patterns.
2. Excavation for a detached structure and removal of materials would be cost prohibitive.
3. A detached structure would vary from current sight lines of neighboring structures and would not be consistent with aesthetic qualities of other homes in the development. Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Address

City and State

Name

Address

City and State

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 28th day of June, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 8th day of Sept., 1989, at 2 o'clock P.M.

J. Robert Haines

Zoning Commissioner of Baltimore County

(over)

#### CERTIFICATE OF PUBLICATION

TOWSON, MD., August 18, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on August 17, 1989.

THE JEFFERSONIAN

TOWSON TIMES.

S. Zebe Orlem  
Publisher

PO 15183  
ny 131098  
ca 90-85-1  
prio \$90.53

MICROFILMED

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

Mr. & Mrs. Paul Travers  
3 Apple Wood Court  
Pawtton, Maryland 21120

Re: Petition for Zoning Variance  
CASE NUMBER: 90-85-A  
E/S Apple Wood Court, 312' N of c/l Kaufman Road  
#3 Apple Wood Court  
7th Election District - 3rd Councilmanic  
Petitioner(s): Paul Travers, et ux  
HEARING SCHEDULED: FRIDAY, SEPTEMBER 8, 1989 at 2:00 p.m.

Dear Mr. & Mrs. Travers:

Please be advised that \$115.53 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

(all to return the sign & post set(s), there shall be a refund for each such set)

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 8/22/89  
ACCOUNT: 901-115-000  
AMOUNT: \$ 115.53  
RECEIVED BY: Paul Travers  
FOR: P.A.  
90-85-A

VALIDATION OR SIGNATURE OF CASHIER

#### CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 7th  
Posted for: Paul Travers, et ux  
Petitioner:  
Location of property: E/S Apple Wood Court, 312' N of c/l Kaufman Road  
#3 Apple Wood Court  
Location of sign: In front of #3 Apple Wood Court  
Remarks: S.J. Anta  
Posted by: S.J. Anta  
Number of Signs: 1

Date of Posting: August 18, 1989

Date of return: August 25, 1989

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

August 1, 1989

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance  
CASE NUMBER: 90-85-A  
E/S Apple Wood Court, 312' N of c/l Kaufman Road  
#3 Apple Wood Court  
7th Election District - 3rd Councilmanic  
Petitioner(s): Paul Travers, et ux  
HEARING SCHEDULED: FRIDAY, SEPTEMBER 8, 1989 at 2:00 p.m.

Variances to allow a side yard setback of 46 feet in lieu of the required 50 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines

ZONING COMMISSIONER  
BALTIMORE COUNTY, MARYLAND

JRH/gp  
cc: Mr. & Mrs. Travers  
File

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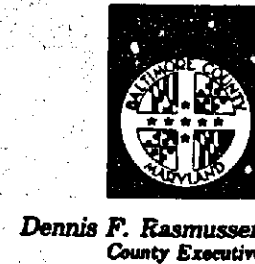


Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
Courts Building, Suite 405  
Towson, Maryland 21204  
(301) 887-3554

July 24, 1989

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, MD 21204

RECEIVED  
AUG 3 1989



ZONING OFFICE

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 525, 526, 527, 527, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 557, 558 and 559.

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Very truly yours,

*Michael S. Flanigan*  
Michael S. Flanigan  
Traffic Engineer Associate II

MSF/lab

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines  
Zoning Commissioner  
DATE: August 16, 1989  
FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning  
SUBJECT: Paul and Catherine Travers, Item 542  
Zoning Petition No. 90-85-A

The petitioners request a variance to allow a side yard setback of 46 feet in lieu of the required 50 feet.

The Office of Planning and Zoning has no comment on the above request.

PK/JL/sf

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AUG 17 1989

Baltimore County  
Fire Department  
800 York Road  
Towson, Maryland 21204-2586  
(301) 887-4500

Paul H. Reincke  
Chief

JUNE 26, 1989

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204



Dennis F. Rasmussen  
County Executive

RE: Property Owner: PAUL TRAVERS  
Location: #3 APPLE WOOD COURT  
Item No.: 542  
Zoning Agenda: JUNE 27, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Capt. Kelly 626-89* Noted and Approved *Capt. Wm. Brady*  
Planning Group  
Special Inspection Division  
Fire Prevention Bureau

JK/KEK

MICROFILMED

JUN 27 1989